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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,057	12/14/2006	Laurent Martin	129161	5621

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EXAMINER	
WESTBROOK, SUNSURRAYE	
ART UNIT	PAPER NUMBER
3612	

NOTIFICATION DATE	DELIVERY MODE
12/22/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/590,057	MARTIN ET AL.	
	Examiner	Art Unit	
	SUNSURRAYE WESTBROOK	3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) *4* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 5-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on *21 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3 & 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruderick (2004/0108753) in view of Ahn (US 6612644).

Regarding claim 1, Bruderick et al. teach,

Regarding to claim 1, Bruderick el at. teach a front fender (130, fig 1) of a motor vehicle (100, fig 1), able to be mounted on an upper beam (120l&r, fig 1) of the chassis of the motor vehicle, comprising:

a body (240, fig 5); and

at least one breakable protuberance (110l&r, fig 3) projecting upward and to which said front fender is intended to be fixed, said protuberance and said body being molded in a single part, said protuberance;

at least one front wall (see inserted fig below) connected by a frangible zone (405, fig 5) to said body;

a rear wall (see inserted fig below) connected by the frangible zone to said body; and

a third wall (see inserted fig below) connected the frangible zone to said body, wherein:

the third wall rigidly connects the front wall and the rear wall to each other and;

Regarding to claim 2, Bruderick et al. also teach opposite the third wall, the breakable protuberance has a fourth wall (see inserted fig below) which the frangible zone connects said fourth wall to said body and the fourth wall rigidly connects the front wall and the rear wall to each other.

Regarding to claim 3, Bruderick et al. further teach the frangible zone surrounds the breakable protuberance (see fig 3).

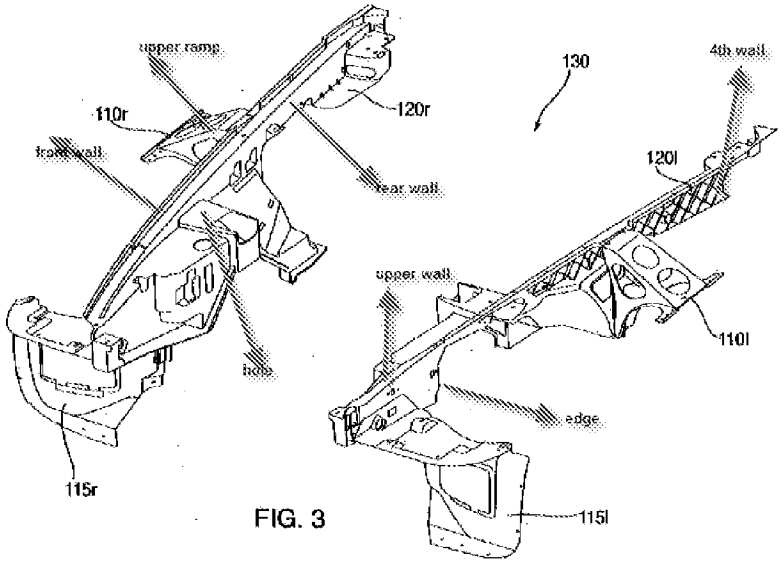

FIG. 3

Regarding to claim 5, Bruderick et al. additionally teach the third wall of the protuberance is drilled with a hole (see inserted fig above) for the passage of fixing device that fixes the fender to the protuberance.

Regarding to claim 6, in addition, Bruderick et al. teach said body has an upper wall (see inserted fig above) that is provided with the protuberance and at least one upper oblique release ramp (see inserted fig above) on a side of an edge (see inserted fig above) of the front fender fitted to the upper wall and, at its lowest point, reaching a side edge of the upper wall.

Regarding to claim 7, Bruderick et al. also teach the support element it is molded in a thermosetting polymer (see paragraph 0037).

Regarding to claim 8, Bruderick et al. further teach that the thermosetting polymer is filled with fibers and non-filiform particles (see paragraph 0037).

Regarding to claim 9, Bruderick et al. furthermore teach the support element contains between 25 and 40% by weight of thermosetting polymer, between 18 and 25% by weight of glass fibers and between 40 and 50% by weight of non-filiform particles (see paragraph 0006).

Regarding to claim 10, Bruderick et al. additionally teach the thermosetting polymer is electrically conductive (see paragraph 0037).

Regarding to claim 11, in addition, Bruderick et al. a positioning structure (609, fig 13) that positions at least one front piece of equipment of the motor vehicle.

Bruderick et al. do not teach an intermediate support element and that the frangible zone is a thinned zone having a thickness that is less than said body and said front wall, said rear wall and said third wall of the protuberance.

Ahn teaches a fender of a vehicle to have an intermediate support element (26, fig 7) and that the frangible zone is a thinned zone (22, fig 7) having a thickness (24, fig 4) that is less than said body and said front wall, said rear wall and said third wall of the protuberance.

Regarding to claim 12, Ahn also teaches in section along any antero-posterior vertical plane, the protuberance is inside a first enveloping circle (14, fig 4) which has its center (14c, fig 4) in the middle of a front portion of the frangible zone, in front of the protuberance, and passes through the middle (fig 4) of a rear portion of the frangible zone, behind the protuberance, and in that in section along any antero-posterior vertical plane, the protuberance is inside a second enveloping circle (see fig 5) which has its

center (fig 5) in the middle of the rear portion of the frangible zone, and passes through the middle of the front portion of the frangible zone.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify a intermediate support element such as that disclosed by Bruderick, to have an intermediate support element and that the frangible zone, as taught by Ahn, in order to reduce the number of manufacturing steps by making 24 and 26 one piece with a frangible zone of the second reference.

3. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruderick (2004/0108753) in view of Anderson (US 6736434).

Regarding to claim 13, Bruderick el at. teach the limitations of claim 4.

Bruderick el at. do not teach a method for molding an intermediate support element in which a mold is used which comprises at least one fixed part and one movable part and which delimits a molding chamber and at least one discharge passage communicating with this molding chamber, the latter comprising at least one portion which corresponds to said thinned zone of the intermediate support element and which is located between the fixed part and the movable part of the mold, this method comprising steps in which:

a) the molding chamber is provided with more molding paste than is necessary for molding the intermediate support element, and then

b) the movable part of the mold is moved toward the fixed part of the mold so as to cause the molding paste to flow between these fixed and movable parts and to discharge a surplus of molding paste through the discharge passage, until the mold delimits, apart from shrinkage, the final form of the intermediate support element.

Anderson el at. teach a method for molding an intermediate support element (20, fig 2) in which a mold (30, fig 60) is used which comprises at least one fixed part (32, fig 6) and one movable part (34, fig 6) and which delimits a molding chamber (36, fig 5) and at least one discharge passage (50, fig 6) communicating with this molding chamber, the latter comprising at least one portion (46, fig 6) which corresponds to said thinned zone (51, fig 6) of the intermediate support element and which is located between the fixed part and the movable part of the mold, this method comprising steps in which:

a) the molding chamber is provided with more molding paste (90, fig 5) than is necessary for molding the intermediate support element, and then

b) the movable part of the mold is moved toward the fixed part of the mold so as to cause the molding paste to flow between these fixed and movable parts and to discharge a surplus of molding paste through the discharge passage, until the mold delimits, apart from shrinkage, the final form of the intermediate support element.

Regarding to claim 14, Anderson el at. furthermore teach a step b), the movable part of the mold is moved in a direction (D) (see fig 10 arrow orientation) substantially perpendicular to said thinned zone of the intermediate support element during molding.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify a intermediate support element such as that disclosed by Bruderick, to have a method of molding an intermediate support element, as taught by Anderson el al., in order to build a an intermediate support element to the right strength specifications to withstand certain collision deformities within range of capabilities to maintain original shape.

Response to Arguments

4. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamamoto teaches a bumper beam. Renault teaches a combination bumper skin and under-engine faring. Svendsen et al. teach front assembly for heavy goods vehicle. Campanella et al. teach bumper beam for motor vehicle. Marijnissen et al. teach energy absorbing vehicle fender. Roux et al. teach fender support. Laurent et Boksebeld teach a front fender.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNSURRAYE WESTBROOK whose telephone number is (571)270-7820. The examiner can normally be reached on Monday to Thursday from 8:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 517-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SUNSURRAYE WESTBROOK/
Examiner, Art Unit 3612

/Patricia L Engle/
Primary Examiner, Art Unit 3612